



DOCKET NO. DEP 0639

0360

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Sector  
#3

Applicants: Christopher Rogers et al.

Serial No.: 09/998,972

Art Unit:

Filed : 10/31/2001

Examiner:

COPY OF PAPERS  
ORIGINALLY FILED

For : Vertebral Endplate Chisel

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed  
to: Box Missing Parts, Commissioner, for Patents, Washington, DC 20231 on

February 19, 2002

(Date of Deposit)

DePuy AcroMed, Inc.

(Name of applicant, assignee, or Registered Representative)

(Signature)

2/19/02

(Date of Signature)

BOX MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Dear Sir:

In response to the Notice to File Missing Parts of Application-Filing Date Granted, mailed December 19, 2001, which a) noted the absence of a declaration and b) required substitute drawings, Applicants respectfully submit a Combined Declaration and Power of Attorney to complete, pursuant to Rule 51, this application filed on October 31, 2001. Pursuant to Rule 85, Substitute Informal Drawings are also enclosed. As required, a copy of the Notice to File Missing Parts of Application is attached.

Please charge Johnson & Johnson Deposit Account No. 10-0750/TMD/DEP0639 in the amounts of \$130.00 for submission of the Declaration pursuant to Section 1.16(e). The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 10-0750/TMD/DEP0639. This sheet is submitted in triplicate.

Respectfully submitted,

Feb. 19, 2002

Thomas M. DiMauro

Reg. No. 35,490

Attorney for Applicant(s)

Johnson & Johnson  
One Johnson & Johnson Plaza  
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COMMISSIONER FOR PATENTS  
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WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/998,972	10/31/2001	Christopher Rogers	DEP 0639

CONFIRMATION NO. 6510

000027777  
AUDLEY A. CIAMPORCERO JR.  
JOHNSON & JOHNSON  
ONE JOHNSON & JOHNSON PLAZA  
NEW BRUNSWICK, NJ 08933-7003

RECEIVED

DEC 26 2001

J &amp; J PAT. DKT. SECTION

FORMALITIES LETTER



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Date Mailed: 12/19/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(e).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

A copy of this notice **MUST** be returned with the reply.

Customer Service Center

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COPY FORWARDED TO ASSIGNEE

DATE: 12/27/01  
SIGNED: CEIL SURMAN

DEC 27 '01 16:46 FR J&J PATENT DEPT.

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Initial Patent Examination Division (703) 308-1202  
PART 1 - ATTORNEY/APPLICANT COPY

\*\* TOTAL PAGE.02 \*\*